

COUNCIL OF THE ISLES OF SCILLY

Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD Telephone: 01720 424455 – Email: planning@scilly.gov.uk

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) Order 2015

PERMISSION FOR DEVELOPMENT

Application P/24/010/COU No:

Date Application Registered: 19th April 2024

Applicant: Bryony Lishman Adventure Scilly Mincarlo Carn Thomas Hugh Town St Mary's Isles of Scilly TR21 0PT

Site address:The Biggal, Carn Thomas Hugh Town St Mary's Isles of ScillyProposal:Change of use of part of the garden of The Biggal for the erection of a sauna.

In pursuance of their powers under the above Act, the Council hereby **PERMIT** the above development to be carried out in accordance with the following Conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- C2 The development hereby permitted shall be carried out in accordance with the approved details only including:
 - Plan 1 Location Plan
 - Plan 2 Proposed sauna block plan
 - Plan 3 Elevations of proposed sauna
 - Plan 4 Proposed Sauna Layout
 - Plan 5 Design and Access Statement
 - Plan 6 Access Statement
 - Plan 7 Proposed Lighting Plan

These are stamped as APPROVED

Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policies OE1 and OE7 of the Isles of Scilly Local Plan (2015 - 2030).

C3 The development hereby approved shall be managed and operated by, and in association with, the business known as Adventure Scilly and for no other purpose.

Reason: In the interest of the character and amenity of the area in accordance with WC5 of the Isles of Scilly Local Plan (2015-2030).

- C4 The development hereby approved shall operate exclusively between the hours of 08:00 and 22:00 Monday to Sunday and at no time outside of these hours. Reason To protect the residential amenities of the locality in accordance with WC5 of the Isles of Scilly Local Plan (2015-2030).
- C5 No construction plant and/or machinery shall be operated on the premises, as part of the implementation of this permission, before 0800 hours on Mondays through to Saturdays nor after 1800 hours. There shall be no works involving construction plant and/or machinery on a Sunday or Public or Bank Holiday.

Reason: In the interests of protecting the residential amenities of the islands.

POST-COMPLETION CONDITION: Installing bat or bird boxes

C6 Within three months of the completion of the development a minimum of two bird or two bat boxes (or a combination of both) shall be installed on site and be retained thereafter. Reason: To ensure the development delivers biodiversity enhancements in accordance with OE2 of the Isles of Scilly Local Plan (2015-2030).

PRE-INSTALLATION CONDITION: Construction Environmental Management Plan

- C7 Prior to the construction of the sauna and access steps from the promenade, hereby approved, a construction environment management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
 - Measures to ensure the construction is carried out safely, without giving rise to hazards to the public; and
 - Standards of best practice construction measures to avoid significant disturbance of adjacent features (neighbours, including users of the promenade as well as any nesting and wintering bird populations) within the immediate vicinity and to protect the interest features the marine environment, where disturbance could arise from vibration, artificial lighting, noise effects or contaminated water run-off.

The development shall then be installed in accordance with these details.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application but are required to fully understand the impact upon the Islands natural environment designation and to ensure that the construction of the development is adequately controlled and to protect the amenities of the area in accordance with Policies SS2, OE2, OE3 and SS7 of the Isles of Scilly Local Plan 2015-2030.

PRE-INSTALLATION CONDITION: Agreeing final details of stepped access

C8 Prior to the construction of the access steps from the promenade to the sauna, hereby approved, details of the design and construction of the steps including the materials and design of any handrail, shall be submitted to and approved in writing by the Local Planning Authority. The steps shall then be installed as approved and retained as such thereafter. Reason: To ensure the materials and design of the steps are in keeping with the character of the area and do not give rise to visual harm, in accordance with Policies OE1 and OE7 of the Isles of Scilly Local Plan 2015-2030.

PRE-INSTALLATION CONDITION: Agreeing final details of building design

C9 Prior to the construction of the sauna hereby approved, details of the final design and appearance, including detailed elevations (1:50 or 1:100 as appropriate) and samples or specifications of all external finishes shall be submitted to and be approved in writing by the Local Planning Authority. Once approved the development shall be finished in the agreed details and retained as such thereafter. All nails and fittings shall be corrosion resistant. Reason: To ensure that the character and appearance of the sauna is sympathetic to this location within the Conservation Area, in accordance with Polices SS2, WC5 and OE7 of the Isles of Scilly Local Plan (2015 - 2030).

PRE-INSTALLATION CONDITION: Agreeing details of external lighting

C10 Prior to installation and notwithstanding the Proposed Lighting Plan submitted with the application, details of the external lighting, including details of maximum level of illumination and lighting control mechanism (timer or sensor) shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To confirm details of the proposals in the interests of the character and appearance of the

landscape and local amenity, and in the interests of the tranquillity and dark sky experience of the Islands in accordance with Policy OE4 of the Isles of Scilly Local Plan 2015-030.

PRE-COMMENCEMENT CONDITION: Site Waste Management Plan

C11 Prior to the commencement of the development, hereby approved, a scheme including details of the disposal of all waste arising from the works shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.

Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application but are required to fully understand the impact upon landscape and management of waste, to be submitted and agreed by the Local Planning Authority. This is to ensure adequate consideration is given to the minimisation of unnecessary waste generation, and adherence to the waste hierarchy, in accordance with the requirements of Policy SS2 (2) and Policy OE5 of the Isles of Scilly Local Plan 2015-2030.

Further Information

- 1. In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework 2023.
- 2. Fire Safety: Access and Facilities for the Fire Service as detailed in B5 AD B Volume 2 will be required. You will be required to provide reasonable facilities for the Fire Service. In most circumstances this will mean providing vehicular access for fire appliances. It is important to remember that failure to do so may prevent the applicant from obtaining a completion certificate under the Building Regulations but more importantly, the lives of the occupiers will be put at risk.
- 3. In accordance with the provisions of Section 96A of the Town and Country Planning Act which came into force on 1st October 2009, any amendments to the approved plans will require either a formal application for a non-material amendment or the submission of a full planning application for a revised scheme. If the proposal relates to a Listed Building you will not be able to apply for a non-material amendment and a new application for a revised scheme will be required. Please discuss any proposed amendments with the Planning Officer. There is a fee to apply for a non-material amendment and the most up to date fee will be charged which can be checked here: https://ecab.planningportal.co.uk/uploads/english application fees.pdf
- 4. In accordance with the Town and Country Planning (fees for Application and Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 a fee is payable to discharge any condition(s) on this planning permission. The fee is currently £145 for each request to discharge condition(s). The fee is payable for each individual request made to the Local Planning Authority. You are advised to check the latest fee schedule at the time of making an application as any adjustments including increases will be applied: https://ecab.planningportal.co.uk/uploads/english application fees.pdf
- 5. The Applicant is reminded of the provisions of the Wildlife and Countryside Act 1981 and the E.C. Conservation (Natural Habitats) Regulations Act 1994, the Habitat and Species Regulations 2012 and our Natural and Environment and Rural Communities biodiversity duty. This planning permission does not absolve the applicant from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licences required, as described in part IV B of Circular 06/2005. Care should be taken during the work and if bats are discovered, they should not be handled, work must stop immediately, and a bat warden contacted. Extra care should be taken during the work, especially when alterations are carried out to buildings if fascia boards are removed as roosting bats could be found in these areas. If bats are found to be present during work, they must not be handled. Work must stop immediately, and advice sought from licensed bat wardens. Call The Bat Conservation Trust's National Bat Helpline on 0845 1300 228 or Natural England (01872 245045) for advice.

Signed:hall

Chief Planning Officer Duly Authorised Officer of the Council to make and issue Planning Decisions on behalf of the Council of the Isles of Scilly.

DATE OF ISSUE: 19th June 2024



COUNCIL OF THE ISLES OF SCILLY

Planning Department Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD 20300 1234 105 2planning@scilly.gov.uk

Dear Bryony Lishman

Please sign and complete this certificate.

This is to certify that decision notice: P/24/010/COU and the accompanying conditions have been read and understood by the applicant: Bryony Lishman.

- 1. **I/we intend to commence the development as approved:** Change of use of part of the garden of The Biggal for the erection of a sauna at: The Biggal Carn Thomas Hugh Town St Mary's Isles Of Scilly **on**:
- 2. I am/we are aware of any conditions that need to be discharged before works commence.
- 3. I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.

You are advised to note that Officers of the Local Planning Authority may inspect the project both during construction, on a spot-check basis, and once completed, to ensure that the proposal has complied with the approved plans and conditions. In the event that the site is found to be inaccessible then you are asked to provide contact details of the applicant/agent/contractor (delete as appropriate):

Name:	Contact Telephone Number: And/Or Email:
Print Name:	
Signed:	
Date:	

Please sign and return to the **above address** as soon as possible.

For the avoidance of doubt you are reminded to address the following condition(s) as part of the implementation of this permission. Although we will aim to deal with any application to discharge conditions as expeditiously as possible, you are reminded to allow up **to 8 weeks** for the discharge of conditions process.

PRE-COMMENCEMENT CONDITION

C11 Prior to the commencement of the development, hereby approved, a scheme including details of the disposal of all waste arising from the works shall be submitted to and agreed in writing with the Planning Authority. The

development shall thereafter proceed in strict accordance with the approved scheme only.

PRE-INSTALLATION CONDITIONS

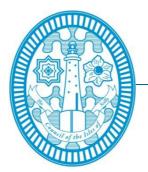
- C7 Prior to the construction of the sauna and access steps from the promenade, hereby approved, a construction environment management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
 - Measures to ensure the construction is carried out safely, without giving rise to hazards to the public; and
 - Standards of best practice construction measures to avoid significant disturbance of adjacent features (neighbours, including users of the promenade as well as any nesting and wintering bird populations within the immediate vicinity and to protect the interest features the marine environment, where disturbance could arise from vibration, artificial lighting, noise effects or contaminated water run-off.

The development shall then be installed in accordance with these details.

- C8 Prior to the construction of the access steps from the promenade to the sauna, hereby approved, details of the design and construction of the steps including the materials and design of any handrail, shall be submitted to and approved in writing by the Local Planning Authority. The steps shall then be installed as approved and retained as such thereafter.
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- C10 Prior to installation and notwithstanding the Proposed Lighting Plan submitted with the application, details of the external lighting, including details of maximum level of illumination and lighting control mechanism (timer or sensor) shall be submitted to and agreed in writing by the Local Planning Authority.

POST-COMPLETION CONDITION

C6 Within three months of the completion of the development a minimum of two bird or two bat boxes (or a combination of both) shall be installed on site and be retained thereafter.



COUNCIL OF THE ISLES OF SCILLY

THIS LETTER CONTAINS IMPORTANT INFORMATION REGARDING YOUR PERMISSION – PLEASE READ IF YOU ARE AN AGENT DEALING WITH IS ON BEHALF OF THE APPLICANT IT IS IMPORTANT TO LET THE APPLICANT KNOW OF ANY PRE-COMMENCMENT CONDITIONS

Dear Applicant,

This letter is intended to help you advance your project through the development process. Now that you have been granted permission, there may be further tasks you need to complete. Some aspects may not apply to your development; however, your attention is drawn to the following paragraphs, which provide advice on a range of matters including how to carry out your development and how to appeal against the decision made by the Local Planning Authority (LPA).

Carrying out the Development in Accordance with the Approved Plans

You must carry out your development in accordance with the stamped plans enclosed with this letter. Failure to do so may result in enforcement action being taken by the LPA and any un-authorised work carried out may have to be amended or removed from the site.

Discharging Conditions

Some conditions on the attached decision notice will need to be formally discharged by the LPA. In particular, any condition that needs to be carried out prior to development taking place, such as a 'source and disposal of materials' condition, an 'archaeological' condition or 'landscaping' condition must be formally discharged prior to the implementation of the planning permission. In the case of an archaeological condition, please contact the Planning Department for advice on the steps required. Whilst you do not need to formally discharge every condition on the decision notice, it is important you inform the Planning Department when the condition advises you to do so before you commence the implementation of this permission. Although we will aim to deal with any application to discharge conditions as expeditiously as possible, you are reminded to allow up **to 8 weeks** for the discharge of conditions process.

Please inform the Planning Department when your development or works will be commencing. This will enable the Council to monitor the discharge and compliance with conditions and provide guidance as necessary. We will not be able to provide you with any written confirmation on the discharge of precommencement conditions if you do not formally apply to discharge the conditions before you start works. As with the rest of the planning application fees, central Government sets a fee within the same set of regulations for the formal discharge of conditions attached to planning permissions. Conditions are necessary to control approved works and development. Requests for confirmation that one or more planning conditions have been complied with are as follows (VAT is not payable on fees set by central government). More information can be found on the Council's website:

- Householder permissions £43per application
- Other permissions £145 per application

Amendments

If you require a change to the development, contact the LPA to see if you can make a 'non material amendment' (NMA). NMA can only be made to planning permissions and not a listed building consent. They were introduced by the Government to reflect the fact that some schemes may need to change during the construction phase. The process involves a short application form and a 14 day consultation period. There is a fee of £43 for householder type applications and £293 in all other cases. The NMA should be determined within 28 days. If the change to your proposal is not considered to be non-material or minor, then you would need to submit a new planning application to reflect those changes. Please contact the Planning Department for more information on what level of amendment would be considered non-material if necessary.

Appealing Against the Decision

If you are aggrieved by any of the planning conditions attached to your decision notice, you can appeal to have specific conditions lifted or modified by the Secretary of State. All appeal decisions are considered by the Planning Inspectorate – a government department aimed at providing an unbiased judgement on a planning application. From the date of the decision notice attached you must lodge an appeal within the following time periods:

- Householder Application 12 weeks
- Planning Application 6 months
- Listed Building Consent 6 months
- Advertisement Consent 8 weeks
- Minor Commercial Application 12 weeks
- Lawful Development Certificate None (unless for LBC 6 months)
- Other Types 6 months

Note that these periods can change so you should check with the Planning Inspectorate for the most up to date list. You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

You find more information on appeal types including how to submit an appeal to the Planning Inspectorate by visiting <u>https://www.gov.uk/topic/planning-</u> <u>development/planning-permission-appeals</u> or you can obtain hard copy appeal forms by calling 0303 444 5000. Current appeal handling times can be found at: <u>Appeals</u>:

How long they take page.

Building Regulations

With all building work, the owner of the property is responsible for meeting the relevant Planning and Building Regulations. Building Regulations apply to most building work so it is important to find out if you need permission. This consent is to ensure the safety of people

in and around buildings in relation to structure, access, fire safety, infrastructure and appropriate insulation.

The Building Control function is carried out on behalf of the Council of the Isles of Scilly by Cornwall Council. All enquiries and Building Control applications should be made direct to Cornwall Council, via the following link <u>Cornwall Council</u>. This link also contains comprehensive information to assist you with all of your Building Control needs.

Building Control can be contacted via telephone by calling 01872 224792 (Option 1), via email <u>buildingcontrol@cornwall.gov.uk</u> or by post at:

Building Control Cornwall Council Pydar House Pydar Street Truro Cornwall TR1 1XU

Inspection Requests can also be made online: https://www.cornwall.gov.uk/planning-and-building-control/building-control/bookan-inspection/

Registering/Altering Addresses

If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

Connections to Utilities

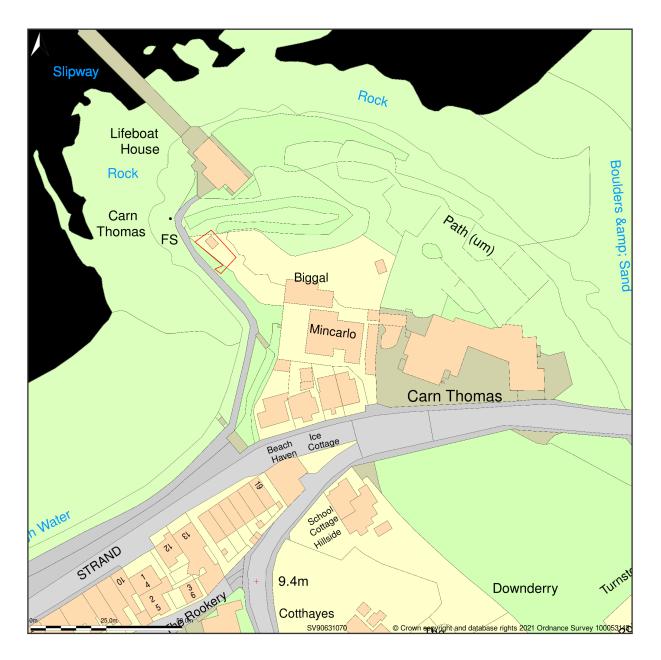
If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 08000831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.





Mincarlo, Carn Thomas, Hugh Town, St Mary s, Isles Of Scilly, TR21 0PT



Site Plan shows area bounded by: 90535.15, 10608.98 90735.15, 10808.98 (at a scale of 1:1250), OSGridRef: SV90631070. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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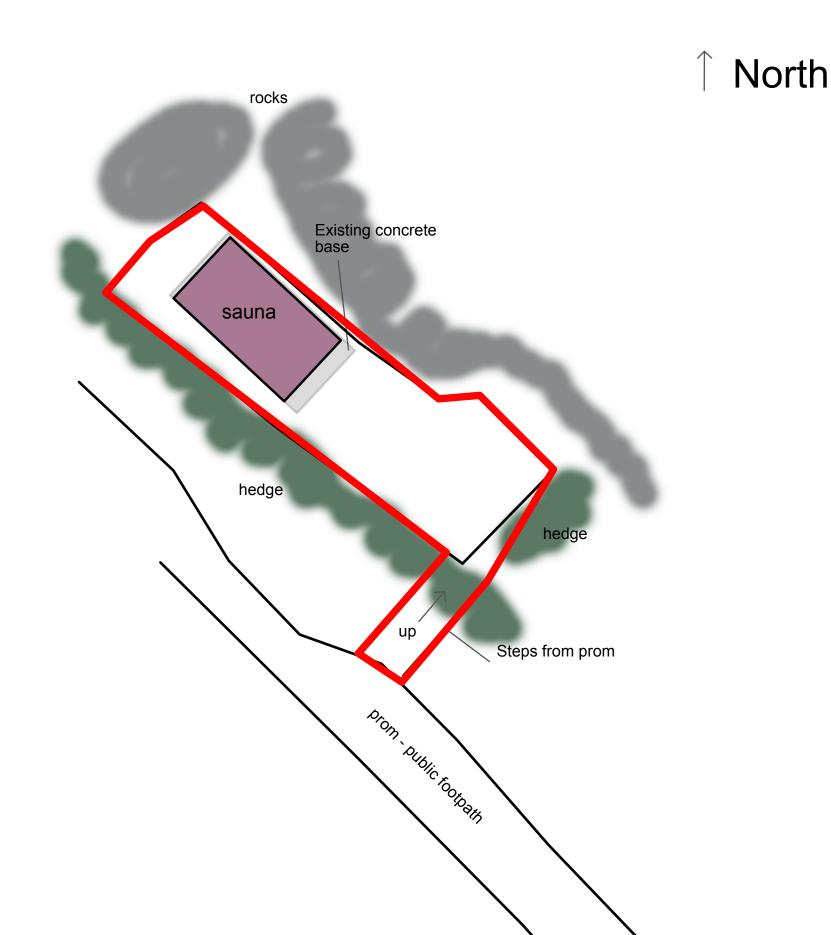
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APPROVED By Lisa Walton at 11:37 am, Jun 19, 2024

Proposed sauna block plan

RECEIVED By Liv Rickman at 2:44 pm, Apr 17, 2024

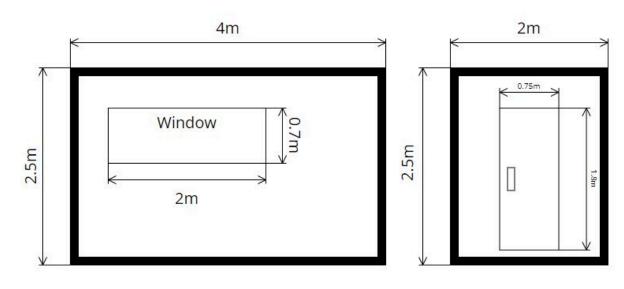


Scale 1:100

RECEIVED By Liv Rickman at 2:45 pm, Apr 17, 2024

APPROVED

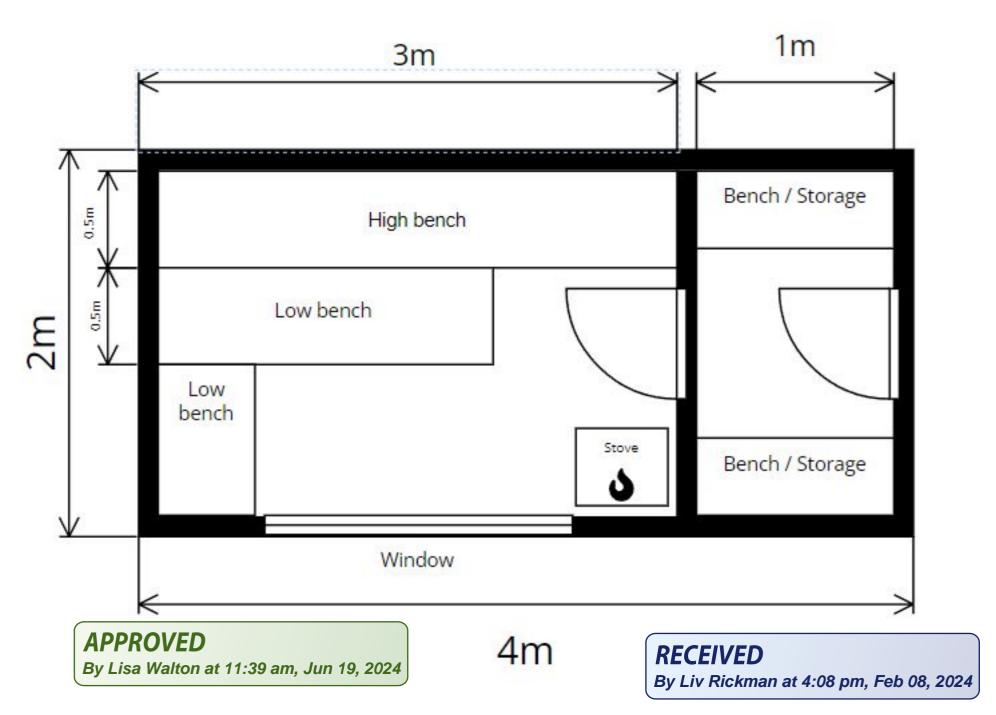
By Lisa Walton at 11:38 am, Jun 19, 2024



South-west elevation

South-east elevation

Other elevations are blank.



Design & Access Statement

Overview

The site is a rarely used section of a private garden. In the foreground of striking granite boulders and close to the sea, it is a picturesque spot suitable for modest development. Creating a sauna space in this site would have the effect of opening up the space to small numbers of people at a time, making the most of the garden and the stunning views as a peaceful setting to enable and enhance health and wellbeing activities.

Context of the site and its surroundings

The garden for the proposed sauna is currently accessed via Mincarlo & The Biggal front pathway and garden. Whilst the sauna would only involve movements of small numbers of people, it would be preferable for a separate, discreet access of a new set of steps (timber, and granite where possible) to be build from the promenade below, at the same time taking the opportunity to landscape the slope between the garden and the prom. The prom is mostly used for people at leisure dog-walking or taking time to relax on a bench, also for access to the lifeboat station. The studio design need not impose on these activities, in addition it would be ensured that the steps access would not cause a hazard for lifeboat crew on a shout or training. Timber steps would comply with building regs.

The sauna would sit in a garden framed throughout the seasons with granite rock, vibrant agapanthus, crassula and aeonium blooms, silver-grey pittosporum hedges and the ever-changing colours of the sea.



The current landscape within the site is grass surrounded by escallonia & pittosporum hedging. Bedrock and background landscape is granite. There is a picturesque old drystone wall above the site, which would be retained along with any established plants. There are no groundworks required for this project.

We are particularly happy that the sauna would have a very low environmental impact, and supports Scilly as a dark skies destination.

Social context

The proposed sauna would be available to locals and visitors throughout the year. Sauna can be a private, personal area of relaxation and solitude, or a relaxing environment for socialising with family, friends or soon-to-be friends, as the sauna environment is conducive to open, intimate and quiet conversation.

There are many health benefits to sauna, which can be a wonderful addition to an overall health and wellness plan. Sauna is great for relieving



stress, improving cardiovascular health, relaxing muscles, soothing aches/pains in both muscles and joints; overall a a pampering retreat where you can relax and restore body and mind.

Design & Access Statement

Economic context

The sauna project would support the local economy by providing an opportunity for locals, regular visitors and more active sporting visitors coming for holidays of e.g. swimming/ running to indulge in a new health & wellbeing activity on the island. It will also help grow our business, Adventure Scilly, with which we already offer yoga, guided sea swimming and other mindful, immersive activities around the islands.

Continuing to market Scilly to tourists as a destination for health, activity and wellbeing in a stunning natural environment continues to set good economic viability for this project.

Planning policy context - The Spatial Planning Vision

78. Regarding the Local Plan we feel this project contributes towards "the achievement of sustainable development by enabling better paid jobs whilst protecting and enhancing the islands' exceptional environment."

79. This projects fits very well with **The Vision** In 2030: The Isles of Scilly is a highly desirable place where people are able to live well, work productively, and move freely between islands and the mainland; they can also benefit from excellent education, leisure, health and social care facilities, within a world- class environment in harmony with nature. The distinctiveness and exceptional environment, with the influence of the sea, continue to provide a strong sense of community, identity and belonging; these remain vital assets for the islands' economy and well-being.

85. Within the Council's Strategic Aims & Objectives, we feel that this project ensures that the distinctive landscape, seascape and nature assets of the site are protected, valued and enhanced with the design of the sauna and spaces around it.

The sauna would provide a sustainable opportunity to bring health and wellbeing activities to the local and visitor communities in a resilient and self-sufficient way.

(4) will contribute to a more competitive, diverse and resilient economy based on our exceptional and inspirational environment (practicing sauna in a beautiful space within the natural landscape)... and maximise opportunities by building on its strengths (the islands' raw beauty) and underpinned by effective infrastructure (the simple sauna design) and an appropriately available & skilled workforce (us).

(5) ...supporting a strong, vibrant & healthy island community with an improved quality of life for its residents - this applies to the improved quality of life the broader local and visitor community can gain through use of the sauna.

(7) The sauna notably minimises carbon emissions by being built with sustainable materials as well as being entirely off-grid & using a sustainable fuel provider.



Accessibility

Due to the topography of the site it would not be easily accessible by wheelchairs or people with restricted mobility. However we would love to be inclusive and would always be happy to address accessibility issues on an individual basis.

Tuesday, 9 April 2024

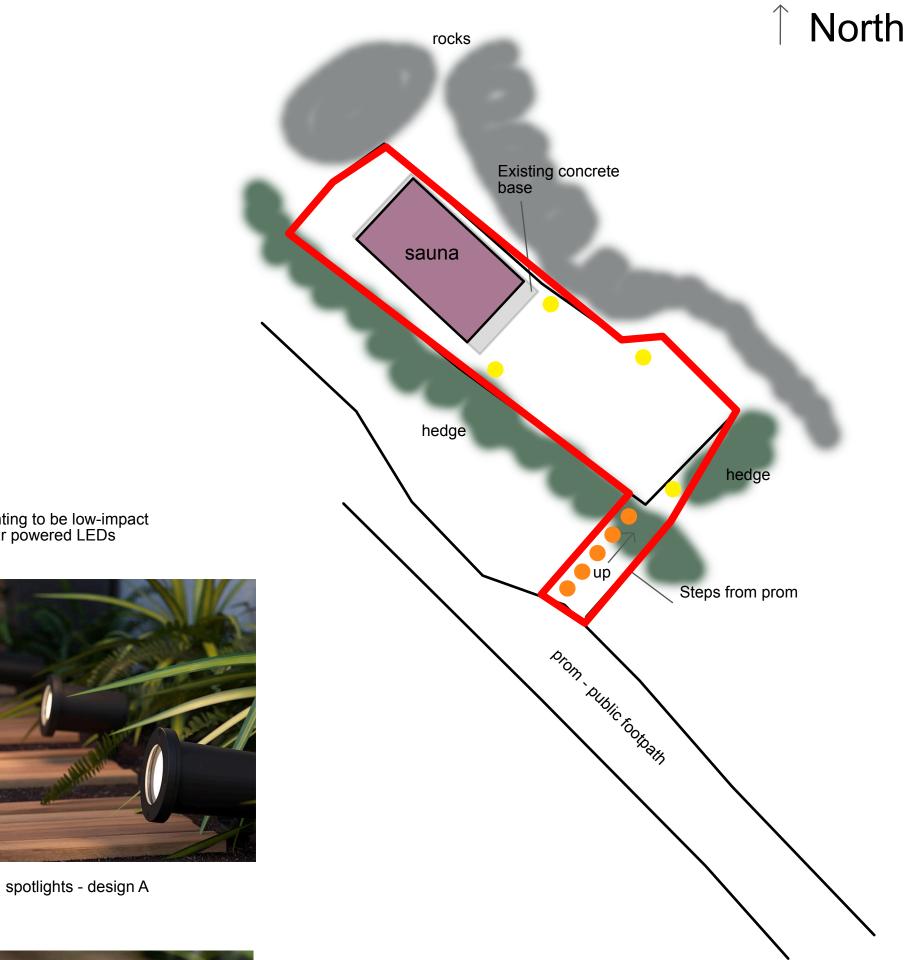
Sauna planning application

P/24/010/FUL: The Biggal, Carn Thomas, St Mary's

Access would be implemented as per permission P/21/084, therefore we are aware this would require the submission of the details of the access under a precommencement condition. Steps access would be built within building regulations, sympathetically with the surrounding granite & foliage, using timber or possibly recycled plastic. We understand specific details will need to be supplied and agreed before commencing work on this aspect of the application.

Proposed sauna block plan with lighting

APPROVED By Lisa Walton at 11:41 am, Jun 19, 2024



Lighting to be low-impact solar powered LEDs





Scale 1:100